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C O N F I D E N T I A L BUENOS AIRES 000814

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G FOR U/S DOBRIANSKY
G/TIP FOR BARBARA FLECK AND KATIE BRESNAHAN
G/IWI FOR PENNY RECHKEMMER
WHA FOR CHARLES SHAPIRO
WHA/PPC FOR MIKE PUCSETTI
WHA/BSC FOR DREW BLAKENEY

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TAGS: [ASEC](#) [ELAB](#) [KCRM](#) [PHUM](#) [PREL](#) [SMIG](#) [AR](#)
SUBJECT: ARGENTINE MOJ CALLS ANTI-TIP LAW A PRIORITY;
CONGRESSWOMAN AND SPONSOR OF ANTI-TIP BILL ON PROSPECTS FOR
PASSAGE

REF: A. BUENOS AIRES 799

[1](#)B. BUENOS AIRES 753
[1](#)C. BUENOS AIRES 793

Classified By: AMBASSADOR E. ANTHONY WAYNE FOR REASONS 1.4 (B)
AND (D)

[1](#)1. (C) Summary. Ambassador met with Minister of Justice Alberto Iribarne on April 26 and sponsor of anti-TIP legislation, Deputy Stella Cordoba, on April 27, to underscore the importance of passing anti-TIP legislation. Ambassador urged Iribarne to lend his support to pass draft legislation now underway in the Argentine Congress. Iribarne stated that passing anti-TIP legislation is a GOA priority. Commenting on the current Congressional debate centering around the issue of whether a trafficking victim can "consent" to be trafficked, Iribarne stated that he believes consent is "irrelevant". In a separate meeting, Deputy Cordoba told the Ambassador that the lower House has achieved a "positive consensus" on anti-TIP legislation that makes TIP a federal crime, deems victim consent irrelevant, and stipulates the creation of a national plan focused on prevention and victims assistance. She thanked the Ambassador for Secretary Rice's decision to name her constituent, Susana Trimarco, as an "International Woman of Courage" for her anti-TIP efforts, noting that the award has helped to keep the issue alive in the press, society, and the GOA. She asked for continued Embassy support of Trimarco's efforts, especially in Ms. Trimarco efforts to establish her own foundation, and also urged the USG to place TIP on the positive bilateral agenda. The Ambassador said that this is an area where the USG wants to help and that we will reflect on how best to advance this issue. End Summary.

Minister of Justice: Anti-TIP law a "priority"; Victim's Consent is "irrelevant"

[1](#)2. (C) On April 26, Ambassador met with Minister of Justice Alberto Iribarne to urge the Iribarne to lend his support to current efforts to pass draft legislation now underway in the Argentine Congress criminalizing trafficking in persons and counterterrorism finance (septel) as well as discuss GOA efforts to combat narco-trafficking and improve case management efficiency (septel). Iribarne stated that passing anti-TIP legislation is a GOA priority. He noted that the Argentine Congress is currently trying to reconcile a House version of the anti-TIP bill and a Senate version that was

approved in December 2006. He assured the Ambassador that he would raise the issue with Deputy Rosario Romero, Lower House Chairperson of the Criminal Legislation Committee.

13. (C) Iribarne explained that the kidnapping and trafficking case of Marita Veron (daughter of Susana Trimarco de Veron) highlighted the gravity of the problem for both the GOA and Argentine society. Iribarne noted that Ms. Trimarco's search for her daughter is a very powerful one, and that her efforts have uncovered even more information about trafficking patterns in Argentina and have even led to the rescues of victims. The Ambassador noted that Secretary Rice had recently awarded Ms. Trimarco an International Woman of Courage Award for her efforts to fight trafficking. As a result, many in Washington are increasingly interested in the status of pending anti-TIP legislation in Argentina's Congress, the Ambassador explained.

14. (C) LEGATT pointed out that U.S. Attorney General Gonzales raised TIP during his February visit to Argentina. He stated that he understood that the Congressional debate now centers around the issue of whether or not trafficking victims can "consent" to being trafficked. LEGATT explained that consent to exploitative conditions is never possible, especially when many trafficking victims find themselves in a state of exploitation due to violence, coercion, or fraud. Iribarne agreed, adding that he believed consent is irrelevant when a person has been trafficked under such conditions. The Minister reiterated the GOA's commitment to fighting TIP and added that Argentina and other countries participating in the last Ibero-American Ministerial meeting agreed to ratify the Palermo Protocol and pass anti-TIP legislation.

Congresswoman Cordoba: Positive Consensus Achieved in Lower House

15. (C) In a separate meeting on April 27, the Ambassador met with Congressional Deputy Stella Cordoba, President of the Bicameral Committee on Intelligence Oversight and sponsor of an anti-TIP bill currently pending in the lower house. She told the Ambassador that the April 26 joint meeting of the Criminal Legislation; Family, Woman, Children, and Adolescents; and the Budget Committees to review and reconcile the various anti-TIP bills reached a positive consensus. The Committees agreed to make human trafficking a federal crime; that a trafficking victim's "consent" to being trafficked will not be taken into consideration; and that the GOA must develop a national plan that focuses on both prevention and victims' assistance. She stated that she believed that the bill would be submitted to the House the week of April 30. On the issue of consent, she added that the consensus achieved was a victory for victims' rights advocates and the families of victims, as the psychological condition of victims often make it difficult for the victims to testify against their captors. She also explained that it was important that the law stipulate a national plan for prevention and victims' assistance, noting that an aggressive prevention campaign is key in order to reduce the number of people who are trafficked.

16. (C) The Ambassador thanked Cordoba for her efforts to criminalize human trafficking and recounted his experiences helping to combat TIP in Eastern Europe in coordination with NGOs. Cordoba noted that she met with NGO Vital Voices representatives during her last trip to Washington to learn more from their experiences in fighting TIP. She also thanked the Ambassador for USG recognition of Ms. Trimarco's efforts to fight trafficking, and that she was especially proud of this recognition as Ms. Trimarco is from Cordoba's province of Tucuman. She added that the award has helped bring even greater press coverage to the trafficking problem in general and Ms. Trimarco's case in particular.

17. (C) Continuing, Cordoba explained that Ms. Trimarco's search for her daughter is what compelled her to sponsor

anti-trafficking legislation and that she frequently consulted Ms. Trimarco when drafting legislation. She noted that Ms. Trimarco is working on establishing her own foundation to continue her work and asked for continued Embassy support of Trimarco's efforts. She also encouraged the USG to keep TIP on the bilateral agenda for cooperation and support. The Ambassador said that the Embassy wants to help and will reflect on the best way forward, adding that NGOs are key to an integrated approach to fighting TIP. Cordoba agreed, noting that victims are often more comfortable approaching an NGO than government authorities. She added that her Commission has been working on the TIP issue very closely with local NGO, the Center for the Implementation of Equity and Growth Policy (CIPPEC), who has submitted a proposal for World Bank funding to train and raise awareness of the trafficking problem among NGO leaders. (NOTE: CIPPEC has also submitted a proposal for G/TIP funding to enhance coordination among NGOs working on this issue, but it was not one that the Embassy identified as a priority. However, CIPPEC is a very reputable and capable local NGO.)

18. (C) Comment: Ambassador and Embassy staff continue to actively lobby key players in the GOA and Argentine Congress for rapid passage of comprehensive anti-TIP legislation (refs A and B). Iribarne's and Cordoba's comments demonstrate that there are serious and committed individuals within the GOA who are working hard to improve the situation. Should a Department representative participate in the American Jewish Committee Dinner on May 3, we strongly suggest that the Department reach out to First Lady Cristina Fernandez de Kirchner, Foreign Minister Taiana, and Interior Minister Fernandez to underscore USG interest on this matter. We will continue to encourage the GOA to pass the law and then further increase arrests and prosecutions. To that end, we have submitted a cable requesting G/TIP funding (ref C) to bolster the GOA's ability to investigate and prosecute TIP cases as well as identify and provide assistance to trafficking victims. We will also explore ways in which we can support Ms. Trimarco's new foundation. End Comment.
WAYNE